

## REMARKS

Claims 18-38 are currently pending in the application.

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Claims 18-38 have been rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,732,171 ("the '171 patent") to Hayden in view of U.S. Patent No. 6,260,145 ("the '145 patent") to Komura et al.

The assignee of the application notes that the rejection is on the grounds of nonstatutory obviousness-type double patenting, regardless of any remarks in the Action that may suggest otherwise. To address the rejection, enclosed herewith is a Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent executed by John Spiers, the Chief Technology Officer of Lefthand Networks, Inc. The filing of this terminal disclaimer is not to be considered an admission as to the propriety of the rejection. See MPEP §804.02(II).

Lefthand Networks, Inc. is the assignee of the entire right, title, and interest in the application. With respect to the required statement under 37 CFR §3.73(b), enclosed is form PTO/SB/96 executed by John Spiers, the Chief Technology Officer of Lefthand Networks, Inc.

The fee associated with the submission of the terminal disclaimer and set forth at 37 CFR §1.20(d) is being submitted via a credit card. In the event of any underpayment of this fee, please debit Deposit Account 08-2623.

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No claim related fees are believed to be due with this response. In the event any such fees are due, please debit Deposit Account 08-2623.

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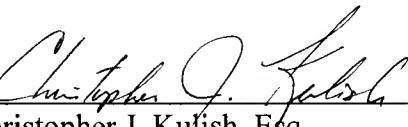
In the event that a petition for extension of time under 37 CFR §1.136(a) is required to have this reply considered and such a petition does not accompany this reply, please consider this a petition for an extension of time for the required number of months and authorization to debit Deposit Account 08-2623 for the required fee.

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The application now appearing to be in form for allowance, reconsideration and allowance thereof is respectfully requested.

Respectfully submitted,

HOLLAND & HART LLP

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